

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
)
v.) CR. NO. 2:06cr032-MHT
)
JEROME LAVERNE HARRIELL)

MOTION TO RESCIND PRELIMINARY ORDER OF FORFEITURE

Comes now the United States of America by and through Leura G. Canary, United States Attorney, Middle District of Alabama, and John T. Harmon, Assistant United States Attorney, and moves this Court to rescind the Preliminary Order of Forfeiture stating as follows:

1. This Honorable Court entered a Preliminary Order of Forfeiture on June 20, 2006, forfeiting defendant's interest in the Glock 21C .45 caliber handgun, bearing serial number DMG710US to the United States.

2. The weapon has been forfeited through State proceedings.

3. Publication of the Preliminary Order of Forfeiture is no longer necessary and in order to avoid further judicial expense, the United States submits that the Preliminary Order of Forfeiture should be rescinded and declared void *ab initio*.

4. A proposed Order is attached.

Respectfully submitted this 11th day of June, 2007.

FOR THE UNITED STATES ATTORNEY
LEURA G. CANARY

/s/John T. Harmon
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CERTIFICATE OF SERVICE

I hereby certify that on June 11, 2007, I electronically filed the foregoing Motion to Rescind Preliminary Order of Forfeiture with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the all counsel of record.

/s/John T. Harmon
John T. Harmon
Assistant United States Attorney